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December 5, 2022

Hon. Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: RAMON OLIVERAS V. LONG ISLAND RAILROAD COMPANY
22 Civ. 4600 (LGS)(GWG)

Dear Judge Schofield:

We are plaintiff's counsel in the above-entitled case and are writing to update the Court on the status of the case and to request a sixty (60) day extension of discovery. There have been no previous requests for any extensions.

Plaintiff noticed depositions of two defense witnesses for November 16, 2022. Defense counsel advised that he would be on trial in New York State Supreme Court, Kings County and could not proceed with those depositions. The depositions were re-noticed for November 29, 2022. Defense counsel was then on trial in Supreme Court, Suffolk County and could not proceed with the depositions. The depositions were then noticed a third time for December 9, 2022. Defense counsel has advised that due to a "major emergency project" the witnesses would not be available that day. We are working with defense counsel to schedule the witnesses prior to the current fact discovery end date of December 30, 2022. However, in light of the scheduling difficulties to date as well as the upcoming holidays, we are concerned that we will not be able to complete depositions or any follow up discovery which arises therefrom by the current deadline.

We respectfully request that the Scheduling Order to amended as follows:

All fact discovery to be completed by **February 28, 2023**; and

All expert discovery to be completed by **March 31, 2023**.

We thank the Court for its consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'S. Constable', written in a cursive style.

Sean Constable

SC:EF

cc: William Blumenschein, Esq.